

4-206

STATE OF NEW MEXICO
IN THE DISTRICT COURT

FILED IN MY OFFICE
8TH JUDICIAL DIST. COURT
UNION COUNTY, NM ON

2011 NOV 21 PM 1:19

226TH JUDICIAL DISTRICT

BERNABE P. STRUCK
CLERK OF THE
DISTRICT COURT

CLIFFON SKEDGEL, Plaintiff

No. CV 2011-84

against
MICHAEL MARTIN, S. PHILLIPS, Defendant
CORRECTIONS MEDICAL SERVICES

SUMMONS

THE STATE OF NEW MEXICO

TO: MICHAEL MARTIN, Defendant(s)

ADDRESS: 185 DR. MICHAEL JENKINS RD. CLAYTON, NM

GREETINGS:

You are hereby directed to serve a pleading or motion in response to the complaint within thirty (30) days after service of this summons, and file the same, all as provided by law.

You are notified that, unless you serve and file a responsive pleading or motion, the plaintiff will apply to the court for the relief demanded in the complaint.

Attorney or attorneys for plaintiff:

CLIFFON SKEDGEL, PRO SE

Address of attorneys for plaintiff:

(or of plaintiff, if no attorney)

185 DR. MICHAEL JENKINS RD. CLAYTON, NM

WITNESS the Honorable JOHN M. PATERNOSTER, district judge of the
226TH judicial district court of the State of New Mexico, and the seal of
the district court of Union County, this 21 day of November, 2011.

BERNABE P. STRUCK

Clerk

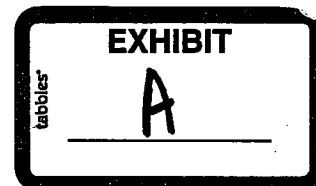
By Karen Viertes
Deputy

RETURN

STATE OF NEW MEXICO)

COUNTY OF UNION)

ss



CV 2011-84

I, being duly sworn, on oath, say that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served the within Summons in said County on the _____ day of _____, 20____, by delivering a copy thereof, with copy of Complaint attached, in the following manner:

(**check one box and fill in appropriate blanks**)

☐ [to Defendant _____ (used when Defendant receives copy of Summons or refuses to receive Summons)

☐ [to _____, a person over fifteen (15) years of age and residing at the usual place of abode of Defendant _____, who at the time of such service was absent therefrom.]

☐ [by posting a copy of the Summons and Complaint in the most public part of the premises of Defendant _____ (used if no person found at dwelling house or usual place of abode)

☐ [to _____, an agent authorized to receive service of process for Defendant

☐ [to _____, (parent) (guardian) of Defendant _____ (used when Defendant is a minor or an incompetent person)

☒ [to _____ (name of person), _____, (title of person authorized to receive service) (used when Defendant is corporation or association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision)

Fees:

Signature of Person Making Service

Title (if any)

*Subscribed and sworn to before me this _____ day of _____, 20____

Judge, Notary or Other Officer
Authorized to Administer Oaths

Official Title

*If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988.]

CLIFTON SKIDGEL
28869 HWY 2-B 115W
NOV 23, 2011

PLEASE MAKE RETURN TO ME AS
SOON AS POSSIBLE.

Clifton Skidgel

SEVENTH JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF UNION

FILED IN MY OFFICE
8TH JUDICIAL DIST. COURT
UNION COUNTY, NM 101

2011 NOV 21 PM 1:17

BERNARD P. STRUCK
CLERK OF THE
DISTRICT COURT

CLIFTON SKEDGEL
Plaintiff,

v.

CIVIL NO # CV 2011-84

MICHAEL MARTIN
Defendant(s),

COMPLAINT
(TORT)

SHERY PHILLIPS
CORRECTIONS MEDICAL SERVICE

I. NATURE OF THE ACTION

1. This is a tort suit authorized by the New Mexico Tort Claims Act, Chapter 41 N.M.S.A. by a corrections department prisoner who seeks damages for the following:

(a) VIOLATION OF CIVIL RIGHTS RESULTING IN
CRUEL AND UNUSUAL PUNISHMENT AND TREATMENT.
DENIAL OF MEDICAL TREATMENT, UNLAWFUL
HARASSMENT FOR BRINGING LITIGATION

II. JURISDICTION

2. SEVENTH District Court has jurisdiction in Tort actions pursuant to the New Mexico Tort Claims Act N.M.S.A. Chapter 41. a Notice of Claim was previously filed with the Risk Management Division pursuant to 41-4-16, N.M.S.A. (1978).

III. PARTIES

3. The plaintiff is CLIFTON SKEDGEL, a prisoner at the NORTH EAST
NEW MEXICO DETENTION FACILITY.

4. Defendant(s) is(are) MICHAEL MARTIN, and holds the office of SECURITY WARDEN, Sherry Phillips, Health Services Administration, CORRECTIONS MEDICAL SERVICES (Lew 02)

IV. FACTS

5. AS STATED IN THE NOTICE OF CLAIM (ATTACHED HERE TO) SECURITY WARDEN MICHAEL MARTIN ORDERED MYSELF AND FOUR OTHERS TO BE PLACED IN SEGREGATION ON JUNE 30, 2011 UNTIL JULY 6, 2011 WITHOUT ANY MEANS TO CHALLENGE THE LOCKDOWN OR THE SANCTIONS IMPOSED, SUPPRESSING MY CIVIL RIGHTS INCLUDING THE PROTECTION AGAINST ARBITRARY PUNISHMENT AND DISCIPLINARY SANCTIONS CONTRARY TO THE 5TH AND 14TH AMENDMENTS DUE PROCESS Clause AS WELL AS EQUAL PROTECTION OF FEDERAL AND STATE LAWS GUARANTEEING MY LIBERTY INTEREST PROVIDED BY THOSE FEDERAL AND STATE LAWS AND THE 4TH EDITION OF AMERICAN CORRECTIONAL ASSOCIATIONS STANDARDS, THE CORRECTIONS DEPARTMENT POLICY ON DISCIPLINARY PLACEMENT, GED FACILITY HANDBOOK WHICH BAR SUCH ARBITRARY PUNISHMENT AND DISCIPLINARY SANCTIONS. WARDEN MARTIN'S TOTAL INDIFFERENCE TO MY CIVIL RIGHTS IS GROSSLY UNCONSTITUTIONAL. ON JUNE 30, 2011, NEARLY 30 INMATES

IV FACTS

5. CONTINUED:

WERE BEING DISCHARGED FROM THE ORIENTATION POD, HOUSING UNIT 1-E POD. I WAS AMONG THOSE BEING PLACED IN GENERAL POPULATION ON FINDING THAT NOT ENOUGH EMPTY BUNKS WERE AVAILABLE FOR SUCH A MOVE, I WAS RETURNED TO HOUSING UNIT 1-E POD FOR INSTITUTIONAL COUNT WITH THE UNDERSTANDING THAT THOSE OF US BEING RETURNED (APPROXIMATELY 5) WOULD BE MOVED TO GENERAL POPULATION. MYSELF AND ANOTHER INMATE WERE PLACED IN HOUSING UNIT 1-E POD CELL 214 AND SERVED THE GEO-NEUMA LOCKDOWN SCHEDULE "NOTICE TO OFFENDER" (SEE EXHIBIT #1) I WAS REFUSED A MISCONDUCT REPORT AND NO HEARING ON THE MISCONDUCT. I WAS NOT ALLOWED A WRITTEN REPORT NOR THE OPPORTUNITY TO CHALLENGE EVIDENCE AGAINST ME OR TO PRESENT EVIDENCE IN MY DEFENSE, IN VIOLATION OF LAW. I ATTEMPTED A DISCIPLINARY APPEAL ON 7/8/11 (SEE GRIEVANCE 8-11-10), SAID APPEAL WAS DESTROYED.

6. ON JULY 28, 2011 WARDEN MICHAEL MARTIN PLACED THE INSTITUTION ON A RESTRICTED MOVEMENT STATUS TO ALLOW FOR A REGLIOUS PRESENTATION BY A WELL KNOWN CELEBRITY CAUSING A CANCELLATION OF A SCHEDULED MEDICAL APPOINTMENT (PSYCHICAL) (SEE GRIEVANCE 8-11-09)

6. CONTINUED.

THIS APPOINTMENT WAS A LONG-AWAITED APPOINTMENT WITH A PHYSICIAN (PHYSICAL) AND A NURSE (RECORDS). I HAD WAITED FOR THIS APPOINTMENT SINCE JUNE 9, 2011, WELL OVER A MONTH. I HAD (HAVE) SUFFERED IN PAIN AND WOULD BE REQUIRED TO WAIT ANOTHER 4 TO 6 WEEKS FOR ANOTHER APPOINTMENT WITH A PHYSICIAN. I SUBMITTED A HEALTH SERVICES REQUEST FORM ON 8-1-11 (HEREAFTER HSRF) TO VERIFY THE APPOINTMENT PROBLEM. THIS LOSS OF A MEDICAL APPOINTMENT FOR TREATMENT OF A GREAT MANY INJURIES AND DISEASES VIOLATES MY CIVIL RIGHTS TO TREATMENT FOR MY MEDICAL NEEDS, (SEE GRIEVANCE #8-11-09) AS WELL AS VIOLATES CORRECTIONS MEDICAL SERVICES (HEREAFTER "CMS") CONTRACT #08-TIO-1200-0007 (NOT AVAILABLE).

7. AGAIN AS STATED IN THE NOTICE OF CLAIM DATED AUGUST 24, 2011 AND PREVIOUS NOTICE OF MARCH 26, 2010 (CMS in-PART) CMS REFUSES TO PROVIDE ADEQUATE AND PROPER MEDICAL DIAGNOSES AND TREATMENT OF THE MANY MEDICAL CONDITIONS I SUFFERING INCLUDING ADRENAL ADENOMAS, OSTEOPENIA WITH MINIMAL LUMBAR SPONDYLOSIS, CHRONIC OBSTRUCTIVE PULMONARY DISEASE, COMPRESSED FRACTURE DEFORMITY OF

7. CONTINUED

VERTEBRA L1, DEGENERATION OF L3-L4
 VERTEBRA, LEVOSCOLIOSIS, DEGENERATION
 (ARTHRITIC) LEFT AND RIGHT HIP JOINTS,
 BUN/CREA RATIO IN BALANCE, A DEFORMED
 ANY DATA LUL GREAT TO ENAIL AND
 GLUCOMA WITH CATARACS. CMS'S ADEQUATE
 AND 4 to 6 WEEK WAITING PERIODS
 HAS LEAD TO A MEDICAL MALPRACTICE
 COMPLAINT BEING FILED AS REQUIRED
 BY THE NEW MEXICO TORT CLAIMS ACT
 ON APRIL 26, 2010. THE NEW MEXICO
 REVIEW COMMISSION FOUND ON APRIL
 27, 2010 THAT CMS IS NOT A QUALIFIED
 HEALTH CARE PROVIDER UNDER THE NEW
 MEXICO MALPRACTICE ACT § 41-5-1 ET SEQ.
 NMSA 1978. CMS REFUSES TO PROVIDE
 ADEQUATE STAFF OF PHYSICIANS, PHYSICIAN
 ASSISTANTS (NURSE PRACTICER) AND NURSES.
 AT THE NORTHEAST NEW MEXICO DETENTION
 FACILITY. AT CLAYTON NM. CONTRARY
 TO AND IN VIOLATION OF CMS'S
 CONTRACT WITH CORRECTIONS DEPT.
 CMS HAS AGREED TO MEET ALL FEDERAL
 AND STATE'S RIGHTS TO INMATE HEALTH
 CARE AS WELL AS HEALTH SYSTEMS BUREAU
 AND ACA STANDARD AS WELL AS THE
 CONSENSUS AGREEMENT DEL.

7. CONTINUED;

IN PARAGRAPH 1.1 OF THE VENDOR'S CONTRACT. THIS NEGLECT HAS RESULTED IN MY CONTINUED SUFFERING WITH PAIN AND BLADDER AND BOWEL CONTROL AS WELL AS STOMACH PROBLEMS. CIMS HAS REFUSED TO REPLACE A BACK BRACE NORMALLY WORN. I WAS REQUIRED TO TURN IN PREVIOUS BACK BRACE UPON TRANSFER FROM WESTERN NEW MEXICO CORRECTIONAL FACILITY. AS OF JUNE 9, 2011 WHEN MY TRANSFER TO THIS FACILITY WAS MADE - DUE TO THE LACK OF MEDICAL SERVICE AT WESTERN, I HAVE SUBMITTED AT LEAST 5 HEALTH SERVICE REQUEST FORMS FOR NEEDED TREATMENT OF BACK INJURIES, HEAD PAIN, REMOVAL OF THE PAINFUL GREAT TOE NAIL; ALL TO BE "REFERRED" TO A HEALTH CARE PROVIDER, WHICH TAKES AT LEAST 4 TO 6 WEEKS, CONSTITUTES NEGLIGENCE AND DELIBERATE INDIFFERENCE, THAT VIOLATES CONSTITUTIONAL STANDARDS.

SINCE 2-19-10 PLAINTIFF HAS SOUGHT RE-EVALUATION OF THE TUMORS, CAUSE OF FALLS, BOWEL AND BLADDER LOSS OF CONTROL, (SEE GRIEVANCE 10-040) AS WELL AS OTHER INJURIES OR DISEASES. THESE FALLS AND PROBLEMS WERE OF NO CONCERN FOR CIMS AT

7. Continued

NEW MEXICO CORRECTIONAL FACILITY AT GRANTS, NM. CMS CONTINUES TO REFUSE THE BACK BRACE, REQUIRES I CLIMB TO THE TOP BUNK WITH OUT A LADDER DESPITE THE BACK INJURY, ARTHRITIC KIPS AND A DOUBLE HERNIA.

8. AS WITH THE NOTICE OF CLAIM TO BRING A TORT CLAIM AGAINST CMS, MS. SKAGGS, ASSOCIATE HEALTH CARE ADMINISTRATOR WAS NOTIFIED, IN WRITING ON AUGUST 22, 2011 NOT TO SCHEDULE ANY MORE APPOINTMENTS - (SEE ATTACHMENT). ON AUGUST 26, 2011 I WAS REQUIRED TO GIVE THE INFIRMARY OFFICER A NOTICE ADDRESSED "TO WHOM IT MAY CONCERN" NOTIFYING CMS AND SECURITY STAFF THAT LITIGATION HAS COMMENCED AND CMS APPOINTMENTS WOULD HAVE TO BE DONE BY CHAPTER 41 TORT LAW. MS. SHERY PHILLIPS IGNORES THE STATE LAW, REQUIRES INMATES TO SIGN "BLANK" REFUSALS AND CONTINUES TO CIRCUMVENT THE LAW HAVING NO REGARD FOR THE STATE STATUTES OR THE RIGHTS OF PRISONERS. ON SEPTEMBER 6, 2011 (SEE ATTACHMENT) MS. PHILLIPS WAS NOTIFIED FOR THE THIRD AND FINAL TIME

8. CONTINUED:

WITH WRITTEN NOTICE TO SEAL ALL MY HEALTH CARE FILES PURSUANT TO THE NEW MEXICO RULES OF EVIDENCE, THE RULES OF CIVIL PROCEDURE AND THE NEW MEXICO TORT CLAIMS ACT, EXCEPT FOR DENTAL AND OPTOMETRIST. MS. PHILLIPS WAS FURTHER REQUESTED NOT TO SUMMON ME FOR ANY MORE APPOINTMENTS UNTIL SHE HAD SPOKEN WITH COUNSEL AS REQUIRED BY SECTION 41-5-10 MEDICAL MAL PRACTICE ACT. (SEE GRIEVANCE 09-11-17 AND ATTACHMENTS) MS. PHILLIPS CONTINUES TO HARASS ME WITH MEANINGLESS CALL OUTS, IN VIOLATION OF STATE LAW.

CMS HAS FURTHER VIOLATED MY CIVIL RIGHTS, STATE LAW, ACA STANDARDS, CORRECTIONS DEPARTMENT POLICY AND VENDOR'S CONTRACT IN LOSSING CERTAIN RADIOLOGY REPORTS. (SEE GRIEVANCE 09-11-15) PLAINTIFF HAS PAID BY INSTITUTIONAL CHECK #5091, DATED 7/20/11 FOR A SERIES OF RECORDS, SOME OF WHICH WERE MISSING. THESE RADIOLOGY REPORTS CONCERN BACK INJURIES COMPLAINED ABOUT AND ARE CRITICAL EVIDENCE. (SEE GRIEVANCE 09-11-15) MS. S. PHILLIPS CONTINUES TO VIOLATE STATE LABO SECTION 30-47-9 WITH HER HARASSMENT

P. CONTINUED:

HER HARASSMENT IS ADDRESSED BY
GRIEVANCE #09-11-17.

9.

THE CORRECTIONS DEPARTMENT POLICY
ON GRIEVANCES CD-150500 AS USED BY
THIS FACILITY IS UNCONSTITUTIONAL.
(SEE GRIEVANCE 8-11-08). THE SENIOR
WARDEN REFUSES TO ADDRESS THE CONDUCT
OF THE GRIEVANCE OFFICER OR VIOLATIONS
OF THE GRIEVANCE PROCEDURE.

V. PRAYER

WHEREFORE it is demanded the Court issue judgment against the defendant(s) as follows:

\$100.00 A day for ILLEGAL SEgregation (7-days)
\$1000.00 per each Constitutional violation.
\$100,000.00 FROM CMS FOR Pain and
Suffering UNNECESSARILY.
OR.
A Jury TRIAL on all Counts.

Respectfully Submitted,

OCT 18, 2011
Date

Clifton Skulge
Signature

[THIS NEXT SECTION MUST BE COMPLETED BEFORE A NOTARY PUBLIC]

I, the Affiant, first being duly sworn have read the foregoing pleading and declare that the information contained therein is true and correct to the best of my knowledge.

Isi Clifton Skulge

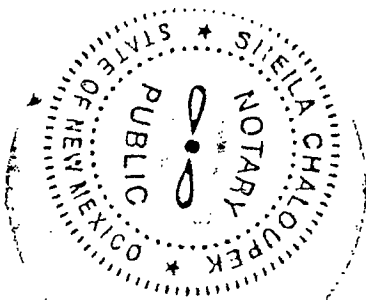
STATE OF NEW MEXICO

COUNTY OF ILLINOIS

SUBSCRIBED AND SWORN to before me this 24th day of Oct, 20 11

Joel Chaloupek
NOTARY PUBLIC

My Commission Expires. 05/18/2015



Chifon Skidgel
28869 Hwy 2-C-109

August 22, 2011.

RS: NOTICE OF INTENT

McSKAGGS, H. S. A.

YOU ARE REQUESTED NOT TO SCHEDULE
ANY MORE APPOINTMENTS FOR ME WITH ANY
CMS STAFF EXCEPT DENTAL AND OPTOMETRY.

NOTICE OF INTENT IS HEREBY GIVEN OF

THE INTENTION TO SEEK LITIGATION AGAINST

CMS WNMCF AND NEUMDF AS REQUIRED BY

SECTION 41-4-16 NMSA 1978 (TORT ACT) AND

ANY FURTHER APPOINTMENTS WILL BE CONTRARY TO

TO §41-5 of the TORT ACT.

LEGAL ACTION HAS COMMENCED AS OF THIS DATE.

Respectfully,

Chifon Skidgel

Hand Copy

Clifton Skidgel
2P869 HU 2C109

Aug 26, 2011

TO Whom it MAY concern!

Litigation has commenced against CMS
NENMFA and WARDON MARTIN. That
Having been filed with Risk Management
and served on WARDON MARTIN you
are without Authority to call me
for any appointment, sick call, examination
or any other purpose other than
Dental and eye doctor, Pursuant to
New Mexico Statutes Annotated Chapter
41 Section 5-10 et al, New Mexico
MEDICAL MALPRACTICE ACT. Any attempt
to call me or otherwise summon
me will be seen as an attempt
to violate my civil rights and
as harassment.

Clifton Skidgel

Hand Copy

SEPTEMBER 6, 2011

TO: Ms. S. Phillips, H.S.A.

From: Clifford Skidgel, 28869 HU 2C109

PLEASE BE ADVISED THAT FORMAL NOTICE
OF CLAIM HAS BEEN FILED IN ST. LOUIS
MO, WITH THE GENERAL COUNSEL OF CMS.
YOU ARE REQUESTED AND DEMANDED TO SEAL
ALL MY MEDICAL FILES EXCEPT DENTAL
AND OPTOMETRIST WHO ARE NOT NAMED IN THE
LITIGATION. ALL DOCUMENTS, RECORDS, TEST RESULTS,
AND X-RAYS ARE NOW PROTECTED BY THE
RULES OF EVIDENCE, CIVIL PROCEDURE AND
FEDERAL LAW. NO WITHDRAWAL OR ADDITION
TO THESE RECORDS IS PERMITTED.

2.

IN ADDITION TO THIS YOU ARE REQUESTED
FOR THE THIRD AND FINAL TIME NOT TO
SUMMON ME FOR ANY REASON. THIS IS
IN VIOLATION OF CHAPTER 41- SECTION 5-10
OF THE TORT ACT AND ESPECIALLY THE
MEDICAL MALPRACTICE ACT OF THE
NEW MEXICO STATUTES ANNOTATED 1928.
IN SHORT, CALL YOUR ATTORNEY'S
BEFORE YOU CALL ME.

Respectfully,

Clyde S. Sledge

DATE OF ACTION: 8/24/2011

TO: Risk Management
P.O. Box Drawer 26110
Santa Fe, N.M. 87502

DATE: AUGUST 24, 2011
(Print date form being sent)

NOTICE OF CLAIM

(This form must be filed before you file a tort complaint.)

Pursuant §41-4-16, N.M.S.A. (1978), you are advised that:

I, CLIFTON SKIDGEL, 28869, hereby give notice that I sustained a
(Print your name)
loss/injury for which I may be entitled to recover, pursuant to the New Mexico Tort Claims Act.

The loss/injury occurred on or about FEBRUARY 19, 2010 TO PRESENT
(Print date of loss/injury)
at the WUNMCF (GRANDS) & NENMCF (CAYTON) Facility under the following
(Print name of Facility)
circumstances: (Please state facts briefly and clearly.) 1) SECURITY WARDEN
MICHAEL MARTIN, SUBJECTED ME TO CRUEL AND
UNUSUAL PUNISHMENT AND TREATMENT WITH LOSS OF
CIVIL RIGHTS IN PLACING ME IN SEGREGATION FROM
JUNE 30, 2011 TO JULY 6, 2011 AND SUBJECTING ME TO
LOSS OF NORMAL ACTIVITIES AND PRIVILEGES WITHOUT
THE DUE PROCESS OF LAW, CONTRARY TO EXISTING
DISCIPLINARY POLICIES AND CIVIL RIGHT.

2) SECURITY WARDEN MICHAEL MARTIN DENIED ME
ACCESS TO HEALTH CARE PROVIDERS (CMS) FOR
THE PURPOSE OF REQUIRING ACTIVITIES IN THE FACILITY
FURTHER SUBJECTING ME TO A LOSS OF CIVIL RIGHTS
AND DENYING ME TREATMENT FOR PAIN AND SUFFERING.

(CONTINUED ON PAGE 2)

Clifton Skidgel
(Name of Plaintiff (Your name))

NOTICE OF CLAIM

Page 2

which occurred on July 28, 2011.

- ③ CMS WUMCF Denied me Proper medical ATTENTION, DIAGNOSIS, AND TREATMENT OF MEDICAL CONDITIONS on FEBRUARY 19, 2010 to JUNE 9, 2011 when I WAS TRANSFERRED TO VENUMDF CLAYTON, NM in which REQUESTED MRI/CT SCANS BE PERFORMED TO DETERMINE SERIOUSNESS OF KNOWN FRACTURES/DEFORMED VERTEBRAS, BONE DISEASE, AND ADRENAL ADENOMAS EVEN tho RECENT LABORATORY RESULTS (CONTINUING) INDICATE ILLNESS (WUMCF) (VENUMDF).
- ④ THE MEDICAL STAFF AT VENUMDF, CLAYTON ARE INADEQUATE RESULTING IN THE LOSS OF MEDICAL TREATMENT IN DIAGNOSING OR PLANNING FOR THE TREATMENT OF BONE DISEASES. THE LACK OF AVAILABLE DOCTORS (MD) AND INCORRECT PROTOCOL RESULTING IN NO MEANINGFUL MEDICAL TREATMENT.
- ⑤ CMS has further violated my Civil Rights in withholding medical records termed as LOST OR UNAVAILABLE despite my HAVING PAID FOR THE SERVICE AND REPRODUCTION OF SAID RECORDS.
- ⑥ CMS, VENUMDF, CLAYTON LACKS the ABILITY TO MEET CONTRACT OBLIGATIONS, FEDERAL AND STATE LAWS REQUIRING PROVISION OF MEDICAL SERVICES to ME.

CLIFTON SKIDGEL
M. M.D.

TO: Risk Management
P.O. Box Drawer 26110
Santa Fe, N.M. 87502

DATE: SEPT 19, 2011
(Print date form being sent)

NOTICE OF CLAIM

(This form must be filed before you file a tort complaint.)

Pursuant §41-4-16, N.M.S.A. (1978), you are advised that:

I, Clifton Skidgel, hereby give notice that I sustained a
(Print your name)
loss/injury for which I may be entitled to recover, pursuant to the New Mexico Tort Claims Act.

The loss/injury occurred on or about SEPT 19, 2011
(Print date of loss/injury)
at the NEWNMIA, CLAYTON, NM Facility under the following
(Print name of Facility)

circumstances: (Please state facts briefly and clearly.) MS. Sherry
Phillips, Health Services Administrator
has violated my Civil Rights under
42 USC 1983, especially § 41-5-10
of the New Mexico Medical Malpractice
Act and the Rules of Evidence
New Mexico Statutes annotated in
Attempting to Circumvent State
Law, in attempt to intimidate or
harass me for seeking equal
protection and other Civil Rights
violation already notified under
Chapter 41

Clifton Skidgel
(Signature of Plaintiff (Your name))

NOTICE TO RISK MANAGEMENT

CONTINUED

MS. S. PHILLIPS HAS - DESPITE SEVERAL WARNINGS HAS ATTEMPTED TO VIOLATE MY CIVIL RIGHTS IN CONTINUING TO SCHEDULE APPOINTMENTS (unnecessarily) IN VIOLATION OF § 41-5-1D AFTER PROPER SERVICE OF CLAIM NOTIFICATION WAS MADE. Her ATTEMPTS TO HARASS ME ON THIS DATE (9-19-11)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CLIFTON SKIDGEL,

Plaintiff,

vs.

Cause No. _____

MICHAEL MARTIN, S. PHILLIPS, and
CORRECTIONS MEDICAL SERVICES,

Defendants.

NOTICE OF CONSENT TO REMOVAL

Defendant Michael Martin, by his attorneys, Yenson, Lynn, Allen & Wosick, P.C. (April D. White) hereby provides written notice to the Court that Defendants S. Phillips and Corrections Medical Services, by and through their attorneys, Allen, Shepherd, Lewis, Syra & Chapman, P.A. (Nicole M. Charlebois) consent to the removal to the United States District Court for the District of New Mexico of the lawsuit filed in the Eighth Judicial District Court of New Mexico and styled *Clifton Skidgel v. Michael Martin, S. Phillips, and Corrections Medical Services*, D-818-CV-2011-00084. This consent is given without waiving these Defendants' rights to assert any and all defenses allowed under the Federal Rules of Civil Procedure.

Signed By:



Nicole M. Charlebois, Esq.

Allen, Shepherd, Lewis, Syra & Chapman, P.A.

Attorneys for Defendants S. Phillips and Corrections Medical Services

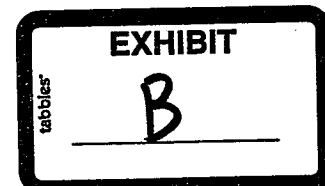
P.O. Box. 94750

Albuquerque, NM 87199-4750

(505) 314-0110

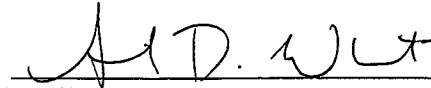
(505) 341-3434

ncharlebois@allenlawnm.com



Respectfully submitted,

YENSON, LYNN, ALLEN & WOSICK, P.C.



April D. White
Attorneys for Defendant Michael Martin
4908 Alameda Blvd. NE
Albuquerque, NM 87113
(505) 266-3995
awhite@ylawfirm.com

I hereby Certify that a true
copy of the foregoing pleading
was mailed to:

Clifton Skidgel #28869
Plaintiff *pro se*
Northeastern New Mexico Detention Facility
185 Dr. Michael Jenkins Rd.
Clayton, NM 88415

on this 3d day of January, 2012.



April D. White